

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

DONALD RAY MCCRAY, #620694                   §  
VS.   §                   CIVIL ACTION NO. 6:11cv339  
JANICE STAPLES, ET AL.                       §

ORDER OF DISMISSAL

Plaintiff Donald Ray McCray, an inmate previously confined at the Beto Unit of the Texas prison system, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the lawsuit should be dismissed pursuant to 28 U.S.C. § 1915(g). The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the complaint is **DISMISSED** with prejudice for purposes of *in forma pauperis* proceedings pursuant to 28 U.S.C. § 1915(g). It is further

**ORDERED** that the motion to proceed *in forma pauperis* (docket entry #3) is **DENIED**. The Plaintiff may resume the lawsuit if he complies with all of the Fifth Circuit's sanctions and

pays the entire filing fee of \$350 within thirty days from the entry of the Final Judgment. It is finally

**ORDERED** that all motions not previously ruled on are **DENIED**.

**So ORDERED and SIGNED this 5th day of August, 2011.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**